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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
HOPELYN RHIANNON AUSK,  
  
Defendant.

CASE NO. 2:20-MJ-00134-KJN

STIPULATION FOR EXTENSION OF TIME FOR  
PRELIMINARY HEARING PURSUANT TO RULE  
5.1(D) AND EXCLUSION OF TIME AND  
[PROPOSED] FINDINGS AND ORDER

DATE: October 30, 2020  
TIME: 2:00 p.m.  
COURT: Hon. Allison Claire

Plaintiff United States of America, by and through its attorney of record, Special Assistant U.S. Attorney ROBERT J. ARTUZ, and Defendant, Hopelyn Ausk, both individually and by and through her counsel of record, Doug Beevers, hereby stipulate as follows:

1. The Complaint in this case was filed on September 3, 2020, and Defendant Hopelyn Ausk first appeared before a judicial officer of the Court in which the charges in this case were pending on September 11, 2020. The Court set a preliminary hearing date of September 29, 2020, and that hearing was later continued by stipulation and order to October 30, 2020. ECF 11.

2. By this stipulation, the parties jointly move for a second extension of time of the preliminary hearing date to November 2, 2020, at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense reasonable time for preparation, and for the government's collection and production of discovery and continuing investigation of the case. For example, the government is

continuing to provide discovery relevant to this case. Defense counsel needs additional time to review and consider all the evidence and to conduct further investigation. The parties further agree that the interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3. The parties agree that good cause exists for the extension of time, and that the extension of time would not adversely affect the public interest in the prompt disposition of criminal cases. Therefore, the parties request that the time between October 30, 2020, and November 2, 2020, be excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

IT IS SO STIPULATED.

Dated: October 29, 2020

McGREGOR W. SCOTT  
United States Attorney

/s/ ROBERT J. ARTUZ  
ROBERT J. ARTUZ  
Special Assistant U.S. Attorney

Dated: October 29, 2020

/s/ DOUG BEEVERS  
DOUG BEEVERS  
Assistant Federal Defender  
Counsel for Defendant  
Hopelyn Rhiannon Ausk

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~~PROPOSED~~ FINDINGS AND ORDER  
EXTENDING TIME FOR PRELIMINARY  
HEARING PURSUANT TO RULE 5.1(d) AND  
EXCLUDING TIME

DATE: October 30, 2020  
TIME: 2:00 p.m.  
COURT: Hon. Jeremy D. Peterson

17  
18 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing  
19 Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on October 29, 2020.  
20 The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,  
21 demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule  
22 5.1(d) of the Federal Rules of Criminal Procedure.

23 Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests  
24 of justice served by granting this continuance outweigh the best interests of the public and the defendant  
25 in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would  
26 not adversely affect the public interest in the prompt disposition of criminal cases.

27 THEREFORE, FOR GOOD CAUSE SHOWN:

- 28 1. The date of the preliminary hearing is extended to November 2, 2020, at 2:00 p.m.

